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SUBJECT: SENEGAL: ANNUAL TIP REPORT

REF: STATE 2731

11. (SBU) As was the case in previous years Senegal continues to devote, time, resources and attention to combat trafficking in persons.

12. (U) responses are keyed to questions in reftel
Begin TIP report

PARA 27: OVERVIEWS OF A COUNTRY'S ACTIVITIES TO ELIMINATE
TRAFFICKING IN PERSONS

1A. Senegal is a source, transit, and destination country for children and women trafficked for the purposes of forced labor, begging, and commercial sexual exploitation. While there are no reliable statistics for the total extent of human trafficking in Senegal, a joint November 2007 report by UNICEF, the ILO and the World Bank said that there were 7,600 street children begging in Dakar alone and that 90 percent of them were talibs. The report also said that 95 percent of these children were from either from out of Dakar or from outside the country. Trafficking within the country is more prevalent than trans-border trafficking. Boys who are students (talibe) at some Koranic schools are trafficked within the country for forced begging by their religious teachers (marabouts. Women and girls are trafficked for domestic servitude. Girls, and possibly adult women, are also trafficked internally for sexual exploitation. Trans-nationally, boys are trafficked to Senegal from The Gambia, Mali, Guinea-Bissau, and Guinea for forced begging by unscrupulous religious teachers. Senegalese women and girls are trafficked to neighboring countries, the Middle East, and Europe for domestic servitude and possibly for sexual exploitation. Reports over the last year of large numbers of Senegalese and neighboring country nationals being transported from Senegal to Spain appear to be cases of smuggling and illegal migration rather than trafficking.

Senegal's trafficking problems are both internal and transnational and no one group or gender is targeted.

Young Senegalese boys continued to be trafficked from rural villages to urban centers for exploitive begging at some Koranic schools (daaras). Young boys are trafficked to Senegal from The Gambia, Guinea-Bissau, Mali and Guinea for the same purpose.

Young girls are trafficked from poor villages in the regions of Diourbel, Fatick, Kaolack, Louga, Kolda, Saint Louis (Fouta), Thies and Ziguinchor to urban centers to work as underage maids. Young girls from both urban and rural areas are involved in illegal prostitution, which NGOs claim always involves an adult pimp who facilitates their commercial sex transactions or houses them.

The issue of trafficking of adult women remains a hazy one. Police officials, international organizations and NGOs have indicated that trafficking of women for use in prostitution occurs in Senegal, but there is little concrete data to support this. NGOs working with

illegal prostitutes have provided anecdotal evidence. ENDA Sante, a Senegalese NGO and FY05 TIP grantee, treats prostitutes for STIs through a mobile clinic program. According to ENDA Sante's staff, they continued to see many women from nearby African countries -- Nigeria, Ghana, Sierra Leone, Liberia, Guinea-Bissau and Guinea -- practicing illegal prostitution in Senegal.

Association AWA, an NGO providing health care and vocational training to women in prostitution, reported that physically abused women occasionally come in to be treated. They are sometimes accompanied by another person to get tested for HIV/AIDS. AWA believes some of these women may be trafficking victims, and the persons accompanying them may be traffickers. AWA also said they see many female prostitutes from Liberia, Ghana, Sierra Leone, and Nigeria. Last year's TIP Report discussed the organized nature of foreign prostitutes' entry into Senegal, as residents from other African countries can enter Senegal without a visa. Last year, AWA assisted 619 sex workers in Dakar and 116 in the regions.

1B. Children trafficked to Senegal are forced into exploitive begging. Separated from their families and support systems, children must choose between staying with their trafficker or a life on the street as runaways. Many children are too young to remember with any detail the village from which they came and, sadly, forget their families. Newspapers have reported on cases of physical abuse committed by (marabouts) against their students. Koranic teachers who abuse their students have been prosecuted under TIP laws and sent to prison. For child victims, parents who entrust young boys into the care of a Koranic teacher, or send a female child to work as a domestic, oftentimes know the trafficker. Therefore, parents are as responsible as teachers in the trafficking of persons.

Marabouts frequently return to their home villages and receive children from parents hoping to provide them a Koranic education. This kind of education is more valued than a secular education by the Senegalese, especially in the formative years of between 4-7 years. Generally, parents are not offered money to turn young boys

over to Koranic teachers, and young boys are never sold.

Girls sent away to work as maids often work in family members' or family friends' homes. In such cases, poor rural families expect money will be sent back to the home to help provide badly needed income to buy food and clothes. In most cases money is sent back when the trafficker returns. These relationships and a family's expectation of income make it very difficult for young girls, who are sometimes sexually abused, to leave their jobs.

Young prostitutes are either sent by rural parents to urban areas to find work, or leave urban homes to work on the streets. While parents do not send their daughters to become prostitutes, with rare exceptions, NGOs working with underage prostitutes claim parents are aware of the fact their daughters prostitute themselves because they leave the house at night, and they have an otherwise unexplainable source of income. Almost all underage prostitutes have Senegalese pimps who entice their victims with promises of money and work. NGO ENDA ECOPOLE has created a center where young domestic girls can get vocational training after work, in tie dye and sewing, as well as a basic education. These activities also prevent girls from wandering the streets at night and being targeted as potential victims for trafficking.

Weak civil administration, porous borders and the ease of obtaining fake identity documents, the abundance of foreign tourists and potential visa sponsors, freedom of movement between Economic Community of West African States (ECOWAS) member states without the need to present a passport, direct flights from Senegal to Europe and national stability entice adult women from other African countries to come to Senegal for sexual purposes. If these women are trafficked, it is unclear who their traffickers are, or what methods they use to approach victims. NGOs think that while some Senegalese women could be trafficked to North Africa, Europe and the Middle East for sexual purposes, as has been reported in the past, most of them tend to remain in Senegal.

1C. The GOS has continued to show significant political will to combat human trafficking. The GOS-established Ginddi Center has maintained its intake of at-risk children and continues to expand

its operations. The Ministry of Women, Family, Social Development and Women's Entrepreneurship runs a program for daaras, in which they provide teaching aids, submit language components, train Koranic teachers, offer school supplies and run awareness campaigns.

In addition, the Direction for Child Protection organized a series of training seminars for journalists and security forces based in the regions of Kolda, Tambacounda, Ziguinchor, Matam, Saint Louis and Kaolack. These training sessions were conducted by social and labor workers, gendarmes, policemen, magistrates, and civil society.

This office is also working with Ministry of Justice and the French Embassy to implement an action plan on child trafficking.

The relatively new Criminal Analysis Unit continues to add trafficking-related offenses into its electronic database. However personnel need more training to use the material more efficiently. Unfortunately, though human trafficking is now an offense under domestic law, few, if any, such cases have been included in the database. The unit is associated with INTERPOL but lacks financial and human resources to fully devote to trafficking issues. Although specialized police squads have been posted in border regions, the Commissioner of Police noted that police lack the financial incentive and time to actively pursue trafficking cases and input data into the database. Nonetheless, with assistance from Spain, the GOS broke up at least two trafficking rings in the last year. Two trucks full of children were stopped at the border between Senegal and Guinea Bissau by Senegalese Police and Customs, while a third truck was never found.

The Interior Ministry Special Commissariat to help fight sex tourism has set up an office ("Brigade de Mineurs" - Under Age squads) in Dakar and Mbour, two of Senegal's principal tourist destinations. In the reported cases of pedophilia in Mbour the offending foreign tourists were judged, sentenced to jail, and repatriated to serve their prison sentences, along with an order banning them from Saly. However, the police and gendarmerie say they need more cooperation from local citizens who are the only ones that can identify the houses where these pedophilic tourists live. They recommend more awareness campaigns to inform populations about the dangers of pedophilia and its consequences on children.

The Ministry of special tourism police unit (Direction of Regulation and Control) has one office that is now operational in Dakar, but the one in Mbour is still not active.

As part of a Time-Bound program with the ILO, Senegal works toward the eradication of child begging, underage domestic work, and underage prostitution as three of Senegal's worst forms of child labor.

1D. Senegal is one of the poorest countries in the world, ranking 156th on the UN's Human Development Index, and has limited ability to effectively prosecute, prevent trafficking or protect trafficking victims. Police are underpaid and lack adequate equipment and resources to effectively do their jobs, while gendarmes guarding the borders are few and far between. For example, during a 2007 trip to the border town of Kidira near Mali, the brigade chief told Poloff that he had 8 men and 2 vehicles to guard hundreds of miles of border. In addition to its public revenue problems, the government's bureaucratic structure and reliance on highly centralized decision-making stand in the way of reform. Corruption exists throughout government, including law enforcement. Trafficking represents only one of many vexing social and economic problems with which the Government must contend. The fact that recruiters of young boys exploit legitimate, socially prevalent desire for a religious education provides "cover" within local communities, and decreases the possibility of government intervention.

1E. The GOS does not have a systematic means in place to monitor its anti-trafficking efforts and does not submit reports. However, the Ministry of Family and the Human Rights Commissioner in an unprecedented move led a sustained and well-organized effort to fight trafficking and child begging throughout 2006 and early 2007. As a result, the Human Rights Commissioner is the focal point and the coordination agency for all ministries involved in working against trafficking in persons, and the Ministry of Family is the executive and operational body to execute activities on trafficking. All these ministries (Human Rights Commissary, Ministry of Family,

Ministry of Interior, Ministry of Justice, Ministry of Tourism, the Army, and Ministry of Education) meet on a monthly basis to discuss on-going cases and discuss anti-trafficking strategies.

PARA 28. INVESTIGATION AND PROSECUTION OF TRAFFICKERS

1A. On April 29, 2005, the National Assembly unanimously adopted a comprehensive anti-TIP law. Under the law, those who recruit, transport, transfer or harbor persons, whether by means of violence, fraud, abuse of authority or otherwise for the purposes of sexual exploitation, labor, forced servitude or slavery are subject to punishment of 5 to 10 years' imprisonment and a fine of between USD 10,000 and 40,000 (5 to 20 million CFA francs (CFAF)). When the violation involves torture, barbarism, the removal of human organs or exposing the victim to a risk of death or injury, jail time can range from 10 to 30 years imprisonment.

Though Senegal now has an effective legal tool for fighting human trafficking, the new law has been used primarily to combat those who smuggle illegal immigrants from Senegal to Spain. The anti-TIP law has been also used to convict Koranic teachers who have abused talibs.

Other statutes have been used to prosecute and convict traffickers. For instance, Senegal's constitution forbids slavery, the labor code prohibits forced labor, and begging is illegal under the penal code. Senegalese have not historically viewed exploitive begging as slavery or forced labor, and the anti-begging law is not enforced against any beggars, trafficking victims or otherwise.

A legal regime regulates prostitution. Pimping and soliciting customers are illegal. Current laws regulating prostitution yield arrests, including arrests of foreign illegal prostitutes, underage prostitutes and pimps. NGOs working with prostitutes, however, claim the problem is bigger than official statistics suggest. Association AWA assisted a total of 735 sex workers last year.

A few Koranic teachers who physically abuse their students are arrested and prosecuted each year. In year 2007, one marabout in Diourbel (center) was arrested after beating a talib to death. He was prosecuted and sentenced to jail for four years and fined of 50,000 CFAF (USD 111). In most cases, students were beaten for failing to meet their daily begging requirements. NGOs assisting Koranic school students explain that Koranic teachers who violently enforce daily begging requirements are usually the most exploitive and most likely to be traffickers rather than bona fide Koranic teachers. At the Ginddi Center, the Family Ministry received students who had been beaten by their Koranic teachers. No cases have been reported this year.

1B. The law stipulates 5 to 10 years imprisonment for rape. Rapes resulting in death qualify for life imprisonment. If a rape victim is a minor, the penalty is 10 years imprisonment. The law punishes sexual abuse of children (pedophilia) with 5 to 10 years imprisonment. If the offender is a family member, the punishment is 10 years. Any offense against the decency of a child is punishable by imprisonment for 2 to 5 years and in some aggravated cases up to 10 years. Procuring a minor for prostitution is punishable by imprisonment for 2 to 5 years and a fine between USD 575 and 7,600 (300,000 and 4,000,000 CFAF). The penalties for sex trafficking

(whether for a minor or an adult) are more severe.

1C. ILO's International Program on the Elimination of Child Labor (IPEC) says there has not been a reported case of child labor in Senegal during the reporting period. An IPEC research study noted that 6,000 children were in the labor force last year, and ILO was able to withdraw 3,000 children and send them to schools or vocational training centers. IPEC has also conducted training for magistrates and police on identification of the problem and appropriate steps to take should it arise. IPEC and the National Statistics Agency are currently conducting a study of the extent of the problem in Senegal. As of early June 2007, ILO reported that 8,000 children in Dakar, and 5,000 from the interior and neighboring countries were working in Senegal.

1D. The GOS prosecuted individuals responsible for rape, pedophilia, prostitution and abuse of talib children. In Malika (a suburb of

Dakar), a man accused of rape was released because there was no proof to hold him, although the young girl he raped is now four months pregnant. Penalties for rape vary between 5 to 10 years imprisonment and a fine of USD 400 (200,000 CFAF) and 6,000 SUD (3,000,000 CFAF). Penalties for violence against children can vary from 5 to 10 years imprisonment and a fine between USD 11,000 (2,000,000 CFAF) to USD 44,000 (20,000,000 CFAF). Jail sentences range between 10 to 30 years in cases of torture. People who organizing child begging risk 5 years of prison and a fine between USD 1,000 (500,000 CFAF) to USD 4,000 (2,000,000 CFAF). The Population and Reproductive healthcare Institute of the University of Dakar reported that among abused children, sixty five percent have been raped. The same study discovered that violence against children occur in different locations: forty five percent of child sexual abuse occurs inside the family compound; seventeen percent in the streets; ten percent at school; and six percent in the daara. As said earlier, parents are more often than not complicit in trafficking. In a recent case a group of fifteen girls were about to be trafficked by Mauritanian traffickers from their remote village in the Kaolack region. However, when confronted their parents confirmed that they were sending them to work in order to bring money back for the family. There are no further details on the case.

1E. Prostitution is legal in Senegal. To legally practice prostitution, a woman must be at least 21 years old, register with the police, carry a valid sanitary card and test negative for STIs and HIV/AIDS. Searching for clients and pimping are illegal.

1F. Two truck drivers from Guinea Bissau, six traffickers and a Senegalese man were arrested in early December 2007 at the southern border for attempting to traffic 34 boys. They are in jail awaiting trial.

1G. GOS representatives attend NGO events on trafficking-related and child protection themes, which helps generate greater turnout and public awareness of Senegal's trafficking problems. The Ministry of family, under the Department of Child Protection, had conducted many training seminars funded by Save the Children-Senegal and hosted by the Center for Judicial Training to educate policemen, gendarmes, social and hospital workers, judges and lawyers, and civil society organizations about the dangers of child trafficking and the actions that need to be taken to stop it. The Ginndi center staff also received training on the dissemination of the anti-TIP law, and has created a watch and alert committee that continues to implement citizen education programs. Meanwhile a database system called Connexions Sans Frontiers which is supported by the Ministry of Family includes a training module for the ten associations that are utilizing this computerized system to keep track of trafficked children.

1H. Senegalese and Malian authorities continued cooperation to repatriate Malian children. The GOS works regularly with foreign security services on clandestine immigration and human smuggling cases. Last year, the Ginndi center, in conjunction with IOM (International Organization for Migrations), repatriated 85 children to Mali, 58 to Guinea Bissau, 19 to the Gambia, and 2 girls to Guinea Conakry.

1I. The GOS can extradite individuals but has not done so for trafficking purposes.

1J. There is some evidence of government tolerance of trafficking for forced begging on a local or institutional level.

1K. No GOS officials are known to have been involved in trafficking.

1L. No Senegalese have been implicated or involved in investigations of trafficking by peacekeepers.

1M. The Ministry of Tourism has created a police unit to fight against sexual tourism in the principal tourist destinations of Dakar, Mbour, Ziguinchor, Fatick, and Saint Louis.

PARA 29. PROTECTION AN ASSISTANCE TO VICTIMS

¶A. The Ginddi Center provides various services to assist trafficking victims regardless of their country of origin. These services include medical treatment, family mediation and reconciliation, education, shelter and meals, and repatriation of children to their mother lands. Last year, the center's child protection hotline received 1,920 calls from Koranic teachers alone and a total of 66,823 calls. The center assisted 917 children of which 329 received medical care. All 917 children were reunited with their families in Senegal, Guinea Bissau, Mali, and the Gambia; 77 children were trained in vocational centers. A total of 409 street interventions were conducted to convince children to join the center.

¶B. The Ginddi Center is used for trafficked and at-risk children. While the Government funds most operations, international partners provide some assistance. The U.S. renovated the dormitories and built a wall around the center and provided medical equipment to the health unit.

¶C. NGOS are not funded by the government. They receive funds from international organizations and other donors such as embassies and foundations.

¶D. The Ministry of Family, under the association "Connexions Sans Frontieres" is using a computerized database to track trafficked children. GOS also works with IOM to help the return of children to their countries of origin.

¶E. The international association "Enda Sant" provides health check up and care to prostitutes.

¶F. According to the anti-TIP law, victims' rights are guaranteed under Articles 12 and 17. Under the law, trafficking victims cannot be prosecuted for acts taken as a result of their being trafficked. The law also protects the identity of victims and permits closed door testimony to encourage them to serve as witnesses. They also are permitted to remain temporarily or permanently on national territory under the status of resident or refugee. Victims have a right to an attorney. If they cannot afford one, one will be provided to them.

¶G. Victims' assistance in investigations are done behind close doors. The rights of trafficked victims are generally respected.

¶H. The Government has provided basic shelter and medical assistance to victims, usually in coordination with NGOs and international organizations.

¶I. The government has not yet provided any specialized training to government officials in identifying trafficking victims and to assist trafficked children. The Ministry of Interior has applied for and technically received approval from Department for ICITAP funds that have yet to arrive to support such a program.

¶J. The government uses its Ginddi center to provide assistance to trafficked victims: shelter, food, medical care, vocational training and education, while waiting to repatriate victims to their home countries.

¶K. The following is a non-exhaustive list of NGOs working with trafficking victims, their primary target group(s) and services: TOSTAN (Koranic students, health, education and nutrition); Avenir de l'Enfant (trafficked boys and underage prostitutes, shelter, nutrition, education and reconciliation); ATT (Koranic students, health and education); ENDA Sante (illegal prostitutes, health); ONDH (Children in prisons); Enda Ecoplole (Abused Domestic maids); and AWA (prostitutes, job training and health). RADDHO, which works with Koranic students, underage prostitutes, and domestics, has a program for the Socio-Professional Integration of Young Migrant Victims of Trafficking, which is being funded by the Swiss Foundation for International Social Service (SSI) and the American Embassy (FY2005 TIP funds). Local authorities support NGO programs through their attendance at public events, collaboration on program strategies and activities and use of public spaces for activities.

International organizations include: the World Bank (street children); UNICEF (underage domestics, underage prostitutes and Koranic students, education, and job alternatives); IOM (trafficked

children, coordinates repatriation of Malian children); Save the Children Sweden (Koranic students, education); and ILO (underage domestics, underage prostitutes and Koranic students, education, and job alternatives).

PARA 30. PREVENTION

1A. President Wade has spoken publicly against human trafficking. The Ministry of Family has received grants from Italy, France, the World Bank and UNICEF to follow through with initiatives to get children off the streets. Privately, most GOS officials admit child trafficking exists and the Government is now acting. Fewer Senegalese see adult prostitutes as trafficking victims. GOS officials recognize trafficking as a problem and Senegal as a transit, destination and source country. When confronted with the realities of today's exploitive begging relationships, for example, many remain unconvinced Senegal's cultural and religious practices constitute human trafficking when Senegalese children are involved.

1B. Anti-TIP campaigns: The Ministry of Family, through the Department of Child Protection, has conducted TIP awareness campaigns to educate journalists, gendarmes, policemen, judges, lawyers, social and hospital workers. In addition, NGO Raddho (African Network for Human Rights) used FY2005 TIP funds to conduct public awareness campaigns at national and community levels. Raddho has specifically developed anti-trafficking press kits, interactive radio programs, television documentaries, and dramatic sketches, including publicizing child protection hotlines.

1C. While there is no formal referral process between the GOS and NGOs, close working relationships between local government officials and NGOs active in their districts allow for information exchange and intervention in particular cases. The Ministry of Family works closely with many Senegalese NGOs, such as RADDHO, Avenir de L'Enfant and La Lumiere. The Interior and Justice Ministries have a program with IOM to monitor migration flows across Senegal's borders. Justice Ministry officials worked with IOM staff in the past to organize and analyze criminal statistics.

A number of NGOs, such as ENDA Ecopole, which works primarily with women and children, and Avenir de l'Enfant report cooperative relations with some Senegalese officials, such as the Minister of Family, and the police, who often refer individual cases to such NGOs. As part of its program against the worst forms of child labor, the Family Ministry, along with its department of youth protection, has held workshops and roundtables in Mbour, Dakar and other areas to fight child begging, underage domestic work and underage prostitution.

1D. The Ministry of Interior, through its Bureau for Investigations, works closely with Interpol to monitor immigration and emigration patterns for evidence of trafficking. Organized clandestine migration by any means is punished for 5 to 10 years of imprisonment and a fine between USD 2,000 (1,000,000 CFAF) to USD 11,000 (5,000,000 CFAF).

1E. International organizations include: the World Bank (street children), UNICEF (underage domestics, prostitutes and talibes, education and job alternatives), IOM (trafficked children, coordination for repatriation of foreign children), Save the Children (talibes, education), and ILO (underage domestics and prostitutes, Koranic students, education and job alternatives).

1F. The GOS drafted a national action plan against trafficking in 2002-03 that included input from the Family, Justice and Interior Ministries as well as from several NGOs, international organizations and the High Commissioner for Human Rights. The GOS adopted the ECOWAS plan on trafficking of persons in 2004. The Director of Child Protection confirms that the Ministry of Family is working with the French Cooperation on a national action plan on trafficking. A research study has already started. Agencies involved will meet in April 2008 to review the findings, and an action plan is expected to be finalized in May.

1G. The government has little or no means to reduce demand for

commercial sex, as it has legalized it. With 700 km of beach and more than 250 hotels, Senegal is a tourist country and this sector represents six percent of the national GDP. Since colonial times, the government has a health clinic in Dakar which now serves as a center where sex workers can receive care for STDs and get tested for HIV/AIDS. In addition, Association AWA is doing its best to assist prostitutes in counseling, care, and vocational training for alternative jobs.

1H. N/A

1I. No Senegalese peacekeeping forces were reported to have been involved in trafficking.

131. HEROES: Embassy Dakar is pleased to nominate Maitre Ndiam GAYE who is a magistrate working at the High Commissary of Human Rights. His office is the GOS focal point on trafficking in persons and

monitors all other ministries dealing with the issue of trafficking: Ministry of Family and Women, Ministry of Interior, Ministry of Justice, Ministry of Education, Ministry of Tourism. Each month, Me Gaye leads meetings to coordinate discussions and outlines the steps that need to be followed to better disseminate the anti-TIP law across the country and to urge GOS agencies to apply the law. He works closely with national and international NGOs to find the best solutions to this defeat this modern day slavery. Apart from his job of coordinating this office, Me Gaye goes beyond the scope of his assigned work to help and assist GOS agencies and other entities to conduct successful TIP workshops. He is very well appreciated by audiences because of the pertinence of his speeches. Last year, Me Gaye held a video conference with Ambassador Miller, in order to launch the Senegalese anti-TIP law.

132. BEST PRACTICES

16. Mission highlighted NGO AWA's work as a "best practice" in last year's reporting cable, but it was not included in the TIP Report. AWA is a Senegalese NGO that works with former and current prostitutes to provide with medical care, vocational training and other services to encourage them to find an alternative profession. AWA has launched a new project to train large numbers of women in cooking, sewing, tie-dye, and other skills to generate income. It will also combine advocacy and awareness programs to teach women about the dangers of prostitution. We are recommending this project as a best practice, because it is unique in its attempt to not only pull large numbers of vulnerable and probably trafficked women out of the perilous field of prostitution but also provide them with another way to earn an income and contribute not only to their families but also to Senegalese society and economy.

TIP OFFICER

13. (U) The Embassy's TIP officer is Osman Tat. He can be reached by phone at 221-823-4296, ext. 2420, and by e-mail at TatON@state.gov.